C/F/100-ed

(1)
(5)

BEFORE THE HON'BLE HIGH COURT OF JUDICATURE

CHHATTISGARH AT BILASPUR (C.G.)

In the matter of W.P.N. 1939 /2001

BETWEEN

PETITIONER Kailash Kedia, aged 30 years.
Son of Abeer Chand Kedia
Proprietor-Annapurna Rice Mills, Balodabazar
Tahsil Baloda Bazar District Raipur (C.G.)

VERSUS

RESPONDENTS 1. Nagar Panchayat Parishad
Baloda Bazar, Through-
President Nagar Panchayat,
Tahsil Baloda Bazar
District Raipur (C.G.)

P.R. No. 17/6/01
Presented by Shri Pradeep Kashyap
dated 28.6.2001

PETITION UNDER ARTICLE 226 OF CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक C.P. 1939 सन् 2001

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	01.5.2002	

Shri Kishore Bhaduri, counsel for the petitioner.

Heard.

By this petition filed under Article 226 of the Constition of India, petitioner prays for quashing of the order dated 25.1.2001 passed in Misc.Civil Appeal No.6/97 by the Additional District Judge, Baloda Bazar .

It is submitted that Petitioner is a Rice Miller and the Mill has surrounded boundary and open land. Respondent started construction of shops on the said land. Petitioner raised objection that the construction of respondent blocks the main entry gate of the quarters of workers of the petitioner's Rice Mill.

The petitioner's request was turned down and he filed Civil Suit on 16.5.1997 in which injunction was granted in favour of the petitioner. Against the said order, respondent preferred appeal and the appellate

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XI-HC-22

(48)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

~~court by impugned order dated 25.01.2001 reversed~~ the order of injunction granted in favour of the petitioner.

Having thus considered the facts and circumstances of the case and material on record and without expressing any further, in the opinion of this Court, ends of justice will serve if a direction is given to the trial Court to decide the suit as early as possible preferably within 3 months from the date of receipt/production of a copy of this order.

With the aforesaid observation, this petition is disposed of at this stage with liberty to file afresh in case the suit is not decided within the stipulated period.

Certified Copy be supplied.

Sd/-
Fakhruddin
Judge

/Rao/

[पीछे देखिये